

Selendy & Gay PLLC  
1290 Avenue of the Americas  
New York NY 10104  
212 390 9000

Andrew R. Dunlap  
212 390 9005  
adunlap@selendygay.com

**Selendy  
& Gay**

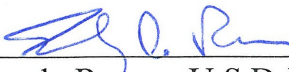
## MEMO ENDORSED

February 10, 2022

**Via ECF**

The Honorable Edgardo Ramos  
United States District Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

The application is   X   granted  
\_\_\_\_\_ denied

  
\_\_\_\_\_  
Edgardo Ramos, U.S.D.J.  
Dated: 02/11/2022  
New York, New York

**Re: *Deutsche Bank Securities Inc. v. Kingate Global Fund Ltd., et al.*,  
No. 19-cv-10823-ER (S.D.N.Y.)**

Dear Judge Ramos,

I write on behalf of Defendants Kingate Global Fund Ltd. and Kingate Euro Fund Ltd. (the “Funds”), pursuant to Paragraph 3.ii of Your Honor’s Individual Practices, for approval to file under seal Exhibit B to the Supplemental Declaration of Eleanor Morgan in support of Defendants’ opposition to Plaintiff Deutsche Bank Securities Inc.’s pending motion to compel an itemized privilege log of the Funds’ BVI Court filings. *See* ECF Nos. 76-80.

The Funds have designated the document attached at Exhibit B as “Highly Confidential” under the Protective Order, which represents the Funds’ good faith judgment that disclosure of the information would “cause serious and irreparable competitive or other harm that cannot be avoided by less restrictive means.” ECF No. 48 ¶ 2(b). Because the Protective Order provides that any Protected Information, including information designated as Highly Confidential, which is used in open court shall lose its confidential status, *see id.* ¶ 15, the Funds respectfully request that the Court grant this letter motion allowing the Funds to file under seal Exhibit B to the Supplemental Declaration of Eleanor Morgan.

Respectfully submitted,

/s/ Andrew R. Dunlap

Andrew R. Dunlap

Cc: Counsel of Record (via ECF)